

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00124-01

JONATHAN BUONASERA

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 26, 2005, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Jonathan Buonasera, appeared in person and by his counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Kenneth Sales, Jr., the defendant having commenced a thirty-month term of supervised release in this action on January 16, 2004, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on July 2, 2003.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant committed the state offense of possession of less than 15 grams of marijuana as evidenced by his plea of guilty on January 25, 2005, in Kanawha County Magistrate Court; (2) that the defendant committed the federal offense of conspiracy to distribute cocaine as evidenced by his guilty plea and conviction in Criminal No. 2:05-00077; and (3) that the defendant used and possessed cocaine as evidenced by positive urine screens for cocaine submitted by him on March 29 and April 6, 2004, and used and possessed marijuana as evidenced by a positive urine screen submitted by him on January 21, 2005; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

imposed upon the defendant in this action be, and it hereby is, revoked.

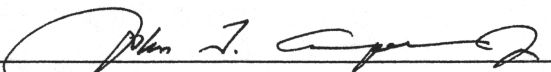
And the court having complied with the requirements of Rule 32(a) (1) (B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense and the intervening conduct of the defendant, that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIFTEEN (15) MONTHS which shall run consecutively to the twenty-seven month term of imprisonment imposed in Criminal No. 2:05-00077.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant: (1) be designated to an institution where a Comprehensive/ Residential Drug Treatment Program can be made available to him; and (2) to the extent compatible with the first recommendation, be designated to either FCI Otisville or FCI Fort Dix.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 7, 2005



John T. Copenhaver, Jr.
United States District Judge